

Kennedy Hints FBI Wiretapping

By Morton Mintz
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Sen. Robert F. Kennedy (D-N.Y.) went to the brink of saying yesterday that while he was Attorney General the FBI undertook wiretapping on its own and without his knowledge.

"Did you authorize the FBI wiretaps of gamblers' telephones in Las Vegas in '62 and '63?" he was asked on the "Issues and Answers" television program (ABC, WMAL).

"No, I did not," Kennedy said.

"Did you ever authorize any wiretaps as Attorney General, except in national security cases?" he was asked.

"I did not," Kennedy replied.

After agreeing that he had "supreme authority" as Attorney General to approve any wiretaps made by the Justice Department, Kennedy dealt with this question:

"Would this mean that wiretaps were made by someone at the Justice Department without your knowledge?"

"Well," Kennedy answered, "if there were any wiretaps that took place outside of national security cases, then they were."

"Do you think this might mean the FBI was doing some wiretapping that you didn't know about?" Clark asked.

"Well, I expect maybe some of those facts are going to be developed," Kennedy replied. "The only time I authorized or was ever requested to authorize wiretapping was in connection with national security cases under an arrangement that originally had been made by President Roosevelt and Attorney General Biddle."

The FBI had no comment on the Senator's statements, but the remarks are expected to aggravate tensions between the FBI and the Department

over who—Attorneys General or FBI Chief J. Edgar Hoover—has authorized wiretapping in cases not related to national security. Ultimately the facts may be brought out in the courts.

One case involves charges by a Las Vegas gambler, Edward Levinson, that the FBI wiretapped and "bugged" him in 1962 and 1963. The charges are made in a \$4.5 million suit against four FBI agents and the Central Telephone Co.

The FBI was ordered last Tuesday, by a Nevada judge, to reply within 20 days.

Another key case involves the installation by the FBI of a listening device in the Washington hotel room of Fred B. Black Jr. in 1963. The installation was acknowledged recently by the Solicitor General, Thurgood Marshall, in a memorandum to the Supreme Court.

On June 13 the Court ordered the Attorney General to give a complete account of the incident.

The Washington Post's Richard Harwood reported last week that he was told by a former superior of J. Edgar Hoover that Hoover "would never engage in any of that wiretapping and bugging without authority from the Attorney General."

Another Justice Department figure with knowledge of FBI eavesdropping told the reporter, "Anyone who claims that Hoover had no authority for what he did [in Las Vegas and in the Black case] is just not telling the truth."

"And anyone who says Bill Rogers, Bobby Kennedy and Nick Katzenbach didn't know what he (Hoover) was doing, doesn't know the facts," the source said. In addition to Kennedy, he was referring to William P. Rogers, Attorney General in the Eisenhower Administration, and to Nicholas deB. Katzenbach, the current Attorney General.